

Initial Study  
for the  
WPCP Emergency Basin

**Prepared for:**

City of San Jose  
Department of Planning, Building & Code Enforcement  
801 N. First Street, Room 400  
San Jose, CA 95110

City of San Jose  
Environmental Services Department  
Water Pollution Control Plant  
700 Los Esteros Road  
San Jose, CA 95134

Carollo Engineers  
2700 Ygnacio Valley Road, Suite 300  
Walnut Creek, CA 94598

**Prepared by:**

RBF Consulting  
111 W. St. John Street, Ste. 850  
San Jose, CA 95113  
Contact: Mike Campbell, AICP  
(408) 993-9224

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# **SECTION 1**

## **INTRODUCTION**

### **PURPOSE OF ENVIRONMENTAL REVIEW**

This Initial Study has been prepared to identify potentially significant impacts that would result from the approval of the proposed San Jose/Santa Clara Water Pollution Control Plant Emergency Basin (WPCP Emergency Basin) and to identify mitigation measures necessary to reduce any such impacts to a level considered less-than-significant.

A Negative Declaration or Mitigated Negative Declaration will be issued if, based upon the information presented in this Initial Study, it is determined that the proposed project would not have any significant impacts or that such impacts can be mitigated to a level considered less than significant. If it is determined that the proposed project would have one or more significant impacts that cannot adequately be mitigated, the lead agency (City of San Jose) will require the preparation of an Environmental Impact Report (EIR).

### **ENVIRONMENTAL PROCEDURES**

This Initial Study has been prepared in accordance with the California Environmental Quality Act of 1970 (CEQA), as amended (Public Resources Code, Section 21000, et. seq.), and the California Environmental Quality Act Guidelines (California Administrative Code Section 15000, et. seq.) This report complies with the rules, regulations, and procedures for the implementation of the California Environmental Quality Act as adopted by the City of San Jose.

### **LEAD AGENCY/CONTACT PERSONS**

In accordance with Sections 15050 and 15367 of the State CEQA Guidelines, the City of San Jose has been designated the "lead agency" for the proposed General Plan Amendment, with lead agency being defined as the "public agency that has the principal responsibility for carrying out or disapproving a project". The project sponsor for the development of the WPCP Emergency Basin that is also included in the project description is the City of San Jose.

City of San Jose:	John Chien
(Project Sponsor and	Project Engineer
Lead Agency)	San Jose/Santa Clara Water Pollution Control Plant
	700 Los Esteros Road
	San Jose, CA 95134

### **THE CEQA INITIAL STUDY**

This Initial Study has been prepared in compliance with the California Environmental Quality Act (CEQA) (Public Resources Code 21000 et seq.) and the State CEQA Guidelines (California Administrative Code 15000 et seq.), as amended January 1, 2001. According to Section 15070 of the CEQA Guidelines,

“A public agency shall prepare or have prepared a proposed negative declaration or mitigated negative declaration for a project subject to CEQA when:

- (a) The Initial Study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment,
- (b) The Initial Study identified potentially significant effects but:
  - 1. Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and
  - 2. There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant impact on the environment.”

The CEQA Guidelines section 15382 defines “significant effect on the environment” as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, mineral, flora, fauna, ambient noise, and object of historic aesthetic significance.

An Initial Study is a preliminary analysis prepared by the lead agency to determine whether an EIR or Negative Declaration must be prepared and to identify the significant effects to be analyzed in an EIR (CEQA Guidelines Sec. 15365).

The Initial Study for the proposed project will serve to focus on effects determined to be potentially significant. This document has been prepared as an objective, full-disclosure document to inform agency decision-makers and the general public of the direct and indirect physical environmental effects of the proposed action and any measures to reduce or eliminate potential adverse impacts.

The environmental checklist, approved by the City and consistent with CEQA Guidelines, is used to focus this study on physical, social, and economic factors that may be further impacted by the proposed project. The checklist indicates one of the following determinations for each specified potential impact under each category of impact included on the checklist:

- ☐ Potentially Significant Impact
- ☐ Less Than Significant With Mitigation Incorporated
- ☐ Less Than Significant Impact
- ☐ No Impact